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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,189	11/12/2003	Andrew Rodney Ferlitsch	SLA1330	6153
7590	09/08/2005		EXAMINER	
Gerald W. Maliszewski P.O. Box 270829 San Diego, CA 92198-2829			CASIANO, ANGEL L	
			ART UNIT	PAPER NUMBER
			2182	
DATE MAILED: 09/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,189

Applicant(s)

FERLITSCH, ANDREW RODNEY

Examiner

Angel L. Casiano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/12/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The present Office action is in response to application filed 12 November 2003.

Claims 1-27 are pending. All claims have been examined.

Information Disclosure Statement

1. The information disclosure statement (IDS) was submitted on 12 November 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims are rejected under 35 U.S.C. 102(b) as being anticipated by Yan et al [US 6,003,065].

Regarding claim 1, Yan et al. teaches method for managing printer selection (see Figure 3) in a network of connected printers (see col. 19, line 8), the method comprising: accepting a print job; determining characteristics of the print job (see col. 19, lines 11-12); selecting a printer in response to a programmable administrative policy that cross-references user-defined usage criteria to print job characteristics; and, sending the print job to the selected printer (see col. 19, lines 12-22).

As for claim 2, Yan et al. teaches programming the administrative policy to accept user-defined definitions for the usage of at least one printer in a network of connected printers (see col. 19, lines 11-12).

As for claim 3, Yan et al. teaches accepting a pre-determined matrix cross-referencing specification-defined printer capabilities to print job characteristics (see “high-resolution”), for at least one printer in a network of connected printers, and, modifying the specification-defined printer capabilities with user-defined printer usages, to create the administrative policy (see col. 19, lines 12-15).

As for claim 4, Yan et al. teaches administrative policy which includes establishing an administrative policy responsive to print job characteristics (see col. 19, lines 56-60). These characteristics include: printer capabilities, performance, and quality (see above).

As for claim 5, Yan et al. teaches administrative policy which includes establishing an administrative policy that cross-references print job characteristics to printer environment

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conditions selected from the group including specification-defined speed, printer capabilities, and printer locality (see col. 198, lines 56-60; “geographic proximity to the host computer”).

As for claim 6, Yan et al. teaches an administrative policy which includes establishing an administrative policy that prompts an action (see “requesting the user”, col. 19, lines 19-20), in response to not matching print job characteristics (see above). The actions available include creating a user interface (UI) to request additional selection criteria (see “to select a different set of criteria”), and creating a UI for the manual selection of a printer.

As for claim 7, Yan et al. teaches a print subsystem activity selected from the group including spooling the print job and despooling the print job (see col. 17, lines 12-17; “queue”). The reference also teaches selecting a printer in response to policy including selection in response to print subsystem activity (see col. 18, lines 63-67 to col. 19, lines 1-3).

As for claims 8 and 9, Yan et al. teaches accessing the policy in a client repository (see “query peripheral database with predetermined selection criteria”, Figure 3).

As for claim 10, Yan et al. teaches a driver for a peripheral (see “printer”, col. 3, lines 48-53). The driver must be stored, according to Yan et al. in order to allow data reception from an application, data formatting, and data transmission (see above).

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As for claim 11, Yan et al. teaches accepting policy updates and storing the policy updates. For example, a printer downloads an update causing it to use a specific font, print landscape, and use papers from a specific tray (see col. 23, lines 58-62).

As for claim 12, Yan et al. teaches accepting a print job at a host and selecting a printer in response to administrative policy (see “predetermined criteria”, col. 198, lines 15-19).

Regarding claim 13, Yan et al. teaches the limitations corresponding to the **method** for managing printer selection in a network of connected printers (see above and Figure 1). Therefore, the reference also teaches the **system** for managing printer selection in a network of connected printers and claimed here. Accordingly, this claim is rejected under the same basis.

As for dependent claims 14-27, Yan et al. teaches the limitations corresponding to the **method** for managing printer selection in a network of connected printers (see above and Figure 1). Therefore, the reference also teaches the claimed **system** and these claims are rejected under the same basis.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Chapin et al. [US 20030231328 A] teaches a controller/logic analyzer which selects which printer is to be used for print job based on preset criteria, thereby describing a user

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interface to create a job ticket in a network printing system and allowing the user to have best knowledge of each printer capabilities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc
02 September 2005



KIM HUYNH
PRIMARY EXAMINER
9/2/05